

Amendment No. 1 to HB0668

Keisling
Signature of Sponsor

AMEND Senate Bill No. 332*

House Bill No. 668

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-404(h)(2), is amended by adding the following as a new subdivision:

(i) Notwithstanding subdivisions (h)(2)(A)-(F), a manufacturer conducting a consumer tasting at a retail licensee's premises may, in the manufacturer's discretion:

(a) Have a licensed wholesaler deliver the product to be tasted directly to the retailer using a zero dollar (\$0.00) invoice; or

(b) Obtain the product to be tasted from a wholesaler in advance of the tasting and bring the product to the retail licensee's premises to be used exclusively for consumer tastings.

(ii) If a manufacturer chooses the option in subdivision (h)(2)(i)(b), then the applicable wholesaler shall provide a zero dollar (\$0.00) invoice for the product requested by the manufacturer. In addition, the manufacturer must notify the wholesaler in writing at least five (5) business days prior to pick up by the manufacturer of any scheduled consumer tasting that includes the date and location of the consumer tastings. If additional tastings occur, each manufacturer shall notify in writing their wholesalers of the date and location of the consumer tasting at least five (5) business days after such tastings.

(iii) A manufacturer may acquire a reasonable amount of product for consumer tastings that will occur in the next thirty (30) days. If a manufacturer has leftover product after this thirty-day period, then the manufacturer may email the applicable wholesalers

the approximate amount of leftover product, and the manufacturer may possess this overage for another thirty (30) days. This process may continue indefinitely until the extra product is used up or poured out by the manufacturer.

(iv) A manufacturer shall not leave excess or leftover product, either sealed or unsealed, with a retail licensee. All product must be taken by the manufacturer to be used by them for future consumer tastings.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.